On June 7, 2002, William M. Harnell, Ph.D. ("Respondent") appeared with his attorney, Lisa Gervase, for an Informal Interview before the Arizona Board of Psychologist Examiners ("Board"). The proceedings in this matter are governed by A.R.S. §§ 32-2081 and 32-2082. Following interview of Respondent, discussion of the information and documents presented, and full deliberation, the Board adopted the following Findings of Fact, Conclusions of Law, Decree of Censure.

## FINDINGS OF FACT

- Respondent is the holder of license number 1623 for the practice of psychology in the
  State of Arizona.
- 2. The Board has the authority to hold an informal interview pursuant to A.R.S. § 32-2081(F). After an informal interview, the Board may take action pursuant to A.R.S. § 32-2081(F), (G) and (H).
- 3. Respondent gave a resident of the Arizona Community and Treatment Program a copy of the MMPI-2 test booklet and a blank answer sheet and allowed the resident to retain the test materials for an extended period of time without sufficient safeguards being put into place to maintain the security of the test materials and insure the integrity of this evaluation.

## **CONCLUSIONS OF LAW**

- The Board of Psychologist Examiners of the State of Arizona possesses jurisdiction over the subject matter and William M. Harnell, Ph.D.
- 2. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-2061(A)(13)(o) ". . . engaging in activities as a psychologist that are unprofessional by current standards of practice". Current standards of practice require that the administration of the MMPI-2 is appropriately supervised so as to insure its security and validity.

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## **ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED issuing Respondent a decree of censure.

NOTICE: In order to be eligible for judicial review pursuant to Title 12, Chapter 7, Article 6, you are required to exhaust your administrative remedies by filing a motion for rehearing or review within thirty days after service of these Findings of Fact, Conclusions of Law and Decree of Censure. Pursuant to A.R.S. § 41-1092.09(B), you are notified that failure to file a motion for rehearing or review within thirty days after service of these Findings of Fact, Conclusions of Law and Decree of Censure has the effect of prohibiting you from seeking judicial review of the Board's decision. Service is complete on personal service or five days after the date these Findings of Fact, Conclusions of Law and Decree of Censure are mailed to your last known address.

Dated this 14th day of June, 2002.

STATE OF ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS

Maxine McCarthy

**Executive Director** 

1400 W. Washington, Rm. 235

Phoenix, AZ 85007 Phone: 602-542-8162

COPY of the foregoing mailed by Certified Mail No. 7099 3400 0017 2131 2519 this 14th day of June, 2002, to:

William M. Harnell, Ph.D.. Address of Record

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COPY of the foregoing mailed this 14th day of June, 2002, to:

Lisa Gervase, Esq. 4150 W. Northern Phoenix, AZ 85051-5787 Attorney for Respondent

COPY of the foregoing mailed via Interagency Mail to:

Nancy J. Beck Assistant Attorney General Civil/LES 1275 W. Washington

Phoenix, AZ 85007